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15 *Lead Defense Counsel for Economic*  
16 *Loss Cases*

17 **UNITED STATES DISTRICT COURT**  
18 **CENTRAL DISTRICT OF CALIFORNIA**

19 IN RE: TOYOTA MOTOR CORP.  
20 UNINTENDED ACCELERATION  
21 MARKETING, SALES PRACTICES, AND  
22 PRODUCTS LIABILITY LITIGATION

23 This document relates to:  
24 ALL CASES

Case No. 8:10ML02151 JVS (FMOx)

25 **DECLARATION OF LISA GILFORD**  
26 **IN SUPPORT OF TOYOTA'S**  
27 **MOTION TO DISMISS AND**  
28 **MOTION TO STRIKE PLAINTIFFS'**  
**ECONOMIC LOSS MASTER**  
**CONSOLIDATED COMPLAINT**

[Filed concurrently with Memorandum  
of Points and Authorities; Motion to  
Dismiss; Motion to Strike; Request for  
Judicial Notice; Appendix of Non-  
Federal and Out-of-State Authorities; and  
[Proposed] Orders]

Date: November 19, 2010  
Time: 9:00 a.m.  
Courtroom: 10C

Economic Loss Master Consolidated  
Complaint filed August 2, 2010

**DECLARATION OF LISA GILFORD**

I, Lisa Gilford, declare as follows:

1. I am a partner with Alston & Bird, LLP, counsel of record for Toyota in this MDL proceeding. I am duly admitted to practice before this Court. I make this declaration in support of Toyota's Motion to Dismiss and Motion to Strike Plaintiffs' Consolidated Economic Loss Complaint ("MCC"). The facts set forth herein are true of my own personal knowledge. If called as a witness, I would testify competently to the matters herein under oath.

2. Attached hereto as Exhibit A-1 through A-9 are true and correct copies of nine charts prepared to assist the Court in identifying the categories of class representative Plaintiffs named in the MCC and their respective claims.

3. Attached hereto as Exhibit B are true and correct copies of Camry, Lexus, and Toyota warranty manuals for model years 2010, 2007, and 2002, respectively, that are exemplary of Plaintiffs' warranties. Plaintiffs' warranties are explicitly referenced in paragraphs 347, 363 of the MCC. (*See* MCC, ¶¶ 347, 363).

4. Attached hereto as Exhibit C is a true and correct copy of an alleged CLRA notice letter dated November 24, 2009 sent on behalf of Eric Kmetz and Joe Morris to Toyota Motor Sales, U.S.A., Inc. (TMS). Messrs. Kmetz and Morris are plaintiffs in the action styled, *Kmetz and Morris v. Toyota Motor Sales, U.S.A., Inc., et al.*, CV 09-8478 (C.D. Cal.) ("Kmetz action"). The Kmetz action was filed on November 18, 2009, one week prior to the November 24th letter to TMS. Additionally, neither Messrs. Kmetz nor Morris are named Plaintiffs in the MCC. The November 24, 2009 letter is explicitly referenced in paragraph 309 of the MCC. (*See* MCC, ¶ 309).

5. Attached hereto as Exhibit D is a true and correct copy of an alleged CLRA notice letter dated March 24, 2010 sent on behalf of Anita Jorge to several entities, including Toyota Motor Corporation. Ms. Jorge is a plaintiff in the action styled, *Jorge v. Toyota Motor N. Am., Inc., et al.*, 10-CV-00060 (E.D. Ky.)

1 (“Jorge Action”). The Jorge action was filed on March 24, 2010, the same date of the  
2 letter. Ms. Jorge is not a named Plaintiff in the MCC. The March 24, 2010 letter is  
3 explicitly referenced in paragraph 309 of the MCC. (*See* MCC, ¶ 309).

4 6. Attached hereto as Exhibit E is a true and correct copy of a letter  
5 dated June 4, 2010 from Plaintiffs’ Lead Economic Loss Counsel, Steve W. Berman,  
6 Esq., to Toyota Motor Sales, U.S.A., Inc., purporting to give CLRA notification on  
7 behalf of consumer plaintiffs Elizabeth Van Zyl, Ebony Brown, Linda Summerville,  
8 Henry Troup, Veronica Troup, Gary Davis, John Flook, Donald Graham, Thomas E.  
9 Gudmundson, Christine Hotaling, Rodney Josephson, Robert Navarro, E. Brandon  
10 Bowron, Michael Lackey, Terasita Ramos, Dana Clark Weller and Douglas W.  
11 Weller. The June 4, 2010 letter is explicitly referenced in paragraph 309 of the MCC.  
12 (*See* MCC, ¶ 309).

13 I declare under penalty of perjury under the laws of the United States of  
14 America that the foregoing is true and correct.

15 Executed on September 13, 2010, at Los Angeles, California.

16  
17 /s/ Lisa Gilford

18 LISA GILFORD  
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